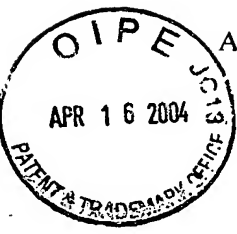


4/19/04



Attorney Docket No. 2463

Patent Application

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Clifford, et al. ) Group Art Unit: NYA  
Serial No.: 10/782,686 ) Examiner: NYA  
Filed: February 19, 2004 )  
For: Device for Dispensing Fluid Medicine

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Express Mail No. EV 224560257 US  
Date: April 16, 2004

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby submits this statement. This submittal is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure.

The Examiner is respectfully requested to fully consider each of the references cited on the attached form PTO/SB/08 and, after such consideration, initial the enclosed Form PTO/SB/08 in the space provided next to each reference. Please return a copy of the initialed Form PTO/SB/08 with the next communication transmitted to the Applicant. Copies of all cited foreign patent documents and non-patent literature documents are enclosed. Each of these references is written in the English language with the exception of WO 02/085282. However, WO 02/085282 has an English language abstract that fulfills the requirement of a concise explanation of relevance under 37 C.F.R. 1.98(a)(3). See MPEP § 609 (III)(A)(3). Copies of the cited U.S. patent documents are not enclosed. Any markings, underlines, notations or the like present in any reference are not to be construed as drawing the Examiner's attention to such marking or away from other portions of the reference.

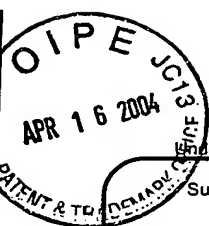
This statement is filed within three months of the filing date of this application pursuant to 37 C.F.R. § 1.97(b), and therefore no fee for the consideration of this statement is enclosed herewith. However, the Commissioner is hereby authorized to charge any amount required for the consideration of this statement to Deposit Account No. 501051 of Alcon, Inc.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "W. David Lee".

W. David Lee  
Reg. No. 39,743

Alcon Research, Ltd.  
Mail Code Q-148  
Fort Worth, TX 76134-2099  
Tel: (817) 568-6029  
Fax: (817) 551-4610



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

|                        |                |
|------------------------|----------------|
| Application Number     | 10/782,686     |
| Filing Date            | 02/19/04       |
| First Named Inventor   | Julia Clifford |
| Art Unit               |                |
| Examiner Name          |                |
| Attorney Docket Number | 2463           |

Sheet 1 of 3

| U. S. PATENT DOCUMENTS |                       |  |                                |  |   |
|------------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials*     | Cite No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                        |                       | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        | A1                    | US- D368,774                             | 04/09/1996                     | Py   |   |
|                        | A2                    | US- D413,668                             | 09/07/1999                     | Mannberg et al.                                    |   |
|                        | A3                    | US- D444,874                             | 07/10/2001                     | Haffner et al.                                     |   |
|                        | A4                    | US- D445,177                             | 07/17/2001                     | Cogger   |   |
|                        | A5                    | US- D446,739                             | 08/21/2001                     | Kan  |   |
|                        | A6                    | US- D446,740                             | 08/21/2001                     | Cruitt   |   |
|                        | A7                    | US- D447,074                             | 08/28/2001                     | Chan   |   |
|                        | A8                    | US- 1,775,400                            | 09/09/1930                     | Kramer   |   |
|                        | A9                    | US- 4,543,096                            | 09/24/1985                     | Keene  |   |
|                        | A10                   | US- 4,973,322                            | 11/27/1990                     | Jewart   |   |
|                        | A11                   | US- 5,347,453                            | 09/13/1994                     | Maestre  |   |
|                        | A12                   | US- 5,387,202                            | 02/07/1995                     | Baron  |   |
|                        | A13                   | US- 5,495,961                            | 03/05/1996                     | Maestre  |   |
|                        | A14                   | US- 5,578,020                            | 11/26/1996                     | Mosley   |   |
|                        | A15                   | US- 5,624,057                            | 04/29/1997                     | Lifshey  |   |
|                        | A16                   | US- 6,107,911                            | 08/22/2000                     | Perrone  |   |
|                        | A17                   | US- 6,423,040                            | 07/23/2002                     | Benktzon et al.                                    |   |
|                        | A18                   | US-                                      |                                |  |   |
|                        | A19                   | US-                                      |                                |  |   |

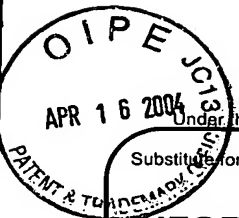
| FOREIGN PATENT DOCUMENTS |                       |   |                                |   |   |                |
|--------------------------|-----------------------|---|--------------------------------|---|---|----------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |                                |   |   |                |
|                          | A20                   | EP 0 335 513  | 03/06/1989                     | Dispomed Ltd.                                   |   |                |
|                          | A21                   | WO 02/085282  | 10/31/2002                     | Valois  |   |                |
|                          | A22                   |   |                                |   |   |                |
|                          | A23                   |   |                                |   |   |                |
|                          | A24                   |   |                                |   |   |                |
|                          | A25                   |   |                                |   |   |                |

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| First Named Inventor   | Julia Clifford |
| Art Unit               |                |
| Examiner Name          |                |
| Attorney Docket Number | 2463           |

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| Sheet | 2 | of | 3 |
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**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|--------------------|-----------------------|---|----------------|
|                    | B1                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 10211254   |                |
| X                  | B2                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 09056777   |                |
| X                  | B3                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 2001120639   |                |
| X                  | B4                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 04082553   |                |
| X                  | B5                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 2000126272   |                |
| X                  | B6                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 2000116748   |                |
| X                  | B7                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 11076366   |                |
| X                  | B8                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 2001120638   |                |
| X                  | B9                    | JPO/PAJ/MicroPatent Abstract for Japanese Patent Application No. 11276548   |                |
| X                  | B10                   | PCT/MicroPatent abstract for European Application No. 335513  |                |

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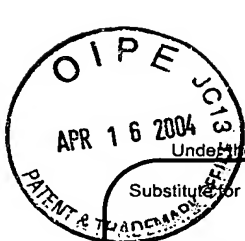
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| Examiner Name          |                |    |   |
| Attorney Docket Number | 2463           |    |   |
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|--------------------|-----------------------|---|----------------|
| X                  | C1                    | PCT/MicroPatent abstract for European Application No. 576649  |                |
|                    | C2                    | PCT/MicroPatent abstract for PCT Application No. 9509669  |                |
|                    | C3                    | Pharpack Europe; November 2002; No. 5; "Valois: Thinking Lateral with Nasal Devices" p. 15  |                |
|                    | C4                    | ARLT: ALR Technologies, Inc.; News article "ALR Technologies Announces Reminder Response System Development" June 17, 2002, 2 pgs.  |                |
|                    | C5                    | DIALOG (R) File 583: Galé Group Globalbase (TM) (c) 2002 The Gale Group, "Allergan Launches Compliance Cap" 1 pg.   |                |
|                    | C6                    | 2003 PJB Publications Ltd., Newsletter regarding "Allergan Compliance Cap" 1 pg.  |                |
|                    | C7                    | Pharpack Europe; November 2002; No. 5; "Smart Packages May Help Control Prescriptions" p. 30  |                |
|                    |                       |   |                |
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|  |   |    |   | Examiner Name            |                |
| Sheet  | 3 | of | 3 | Attorney Docket Number   | 2463           |

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|                                 | C1                    | PCT/MicroPatent abstract for European Application No. 576649 (Meyer)  |  |                |
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|                                 | C3                    | Pharpack Europe; November 2002; No. 5; "Valois: Thinking Lateral with Nasal Devices" pp. 15 & 30  |  |                |
|                                 | C4                    | ARLT: ALR Technologies, Inc.; News article "ALR Technologies Announces Reminder Response System Development" June 17, 2002, 2 pgs.  |  |                |
|                                 | C5                    | DIALOG (R) File 583: Gale Group Globalbase (TM) (c) 2002 The Gale Group, "Allergan Launches Compliance Cap" 1 pg.   |  |                |
|                                 | C6                    | 2003 PJB Publications Ltd., Newsletter regarding "Allergan Compliance Cap" 1 pg.  |  |                |
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